

Docket No.  
2003-2034.ORI

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**APPARATUS AND METHOD FOR TEACHING AND REINFORCING POSITIVE BEHAVIOR**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on February 20, 2004 as United States Application No. or PCT International Application Number 10/783,731  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

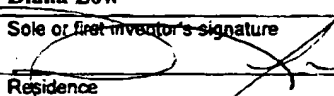
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Mark J. Burns, Registration No. 46,591

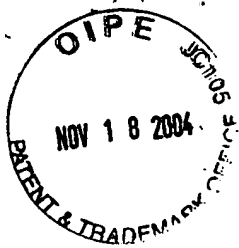
Christopher G. Frank, Registration No. 52,910

Send Correspondence to: Mark J. Burns, Esq.  
HAUGEN LAW FIRM PLLP  
121 South Eighth Street, #1130  
Minneapolis, MN 55402

Direct Telephone Calls to: *(name and telephone number)*  
Mark J. Burns, Esq. at (612) 339-8300

Full name of sole or first inventor <b>Diana Low</b>	Date <b>November 15, 2004</b>
Sole or first inventor's signature 	
Residence <b>Woodbury, MN 55125</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>3187 Meadow Brook Drive, Woodbury, MN 55125</b>	

Full name of second inventor, if any <b>Scott Krentz</b>	Date <b>November __, 2004</b>
Second inventor's signature	
Residence <b>Stillwater, MN 55082</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>118-1/2 N. Main Street</b>	
<b>Stillwater, MN 55082</b>	



PATENT APPLICATION

Attorney Docket 2003-2034.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Diana Low et al.  
Serial No. 10/783,731  
Filed : February 20, 2004  
For : APPARATUS AND METHOD FOR TEACHING AND  
REINFORCING POSITIVE BEHAVIOR

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DECLARATION OF Diana Low, being duly warned, hereby  
declares as follows:

1. That I am a citizen of the United States and a Resident of Woodbury, Minnesota, residing at 3187 Meadow Brook Drive, Woodbury, Minnesota 55125;
2. That I am a co-inventor of the above-identified application;
3. That I have duly executed a Declaration under 37 CFR 1.68 that identifies myself as a co-inventor with Scott Krentz.
4. That, to my understanding, Scott Krentz is a citizen of the United States, and a resident of Stillwater, Minnesota, and residing at 118-1/2 North Main Street, Stillwater, Minnesota 55082;

5. That I am familiar with all of the facts surrounding the refusal by Scott Krenz to execute the Declaration under 37 CFR 1.68 to the invention disclosed and claimed in the above-identified patent application;

6. That the contribution of Scott Krenz was made through his employment at Excell Models and Prototyping, Inc., which was contracted by me to conduct certain design work relevant to the invention disclosed and claimed in this application;

7. That subsequent to the filing of this application and on or about August 6, 2004, an unsigned copy of the enclosed Declaration and Power of Attorney, together with an explanation of its significance, was hand delivered along with a copy of the specification, claims, and drawings of the application, to the last known address of Scott Krenz. When no response was received, a telephone call was made on or about September 27, 2004 to Scott Krenz's, wherein he expressly refused to execute the application papers, and specifically to execute the Declaration under 37 CFR 1.68. Subsequent attempts to arrange for Scott Krenz' execution of the Declaration have been unsuccessful. This refusal has been based upon the fact that Excell Models and Prototypes, Inc. has demanded significant sums of money in exchange for Mr. Krenz's

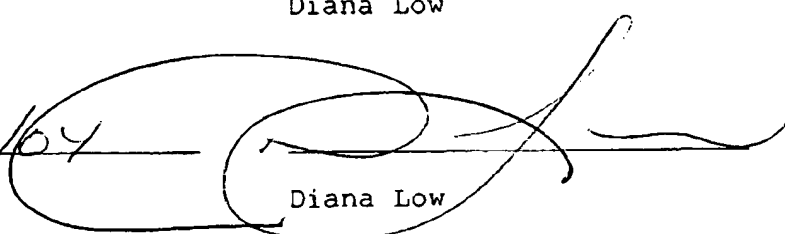
signature, which sums of money are above and beyond the contracted payment made to Excell Models and Prototypes, Inc. for the design work made part of this patent application. As a result of my efforts, it is my conclusion that it is most unlikely that Scott Krenz will cooperate in this matter;

8. That this Declaration is submitted in support of the petition under 37 CFR Section 1.47(a) for acceptance of the above-identified patent application in the United States Patent and Trademark Office.

Respectfully submitted,

Diana Low

Date: 11/15/04

  
Diana Low